

1 BILL NO. S-87-06-*39*

2 SPECIAL ORDINANCE NO. S-17587

3 AN ORDINANCE approving the Contract  
4 for Res. 6072-87, Pontiac Place,  
5 NSA '87, Curbs, Walks and Drive  
6 Approaches, between the Hipskind  
7 Concrete Corporation and the City  
8 of Fort Wayne, Indiana, in connection  
9 with the Board of Public Works  
10 and Safety.

11 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL  
12 OF THE CITY OF FORT WAYNE, INDIANA:

13 SECTION 1. That the Contract for Res. 6072-87, Pontiac  
14 Place, NSA '87, Curbs, Walks and Drive Approaches, by and between  
15 the Hipskind Concrete Corporation and the City of Fort Wayne,  
16 Indiana, in connection with the Board of Public Works and Safety,  
17 for:

18 improvements of the following:  
19 (1) Abbott Street from the south  
20 curbline of Manford to the north  
21 curbline of Oxford by replacing  
22 sidewalks and drive approaches.  
23 (2) Plaza Drive from the south  
24 curbline of Drexel to the north  
25 curbline of Oxford by replacing  
sidewalks and drive approaches  
and total curbs. (3) Central Drive  
from the south curbline of Drexel  
to the north curbline of Drexel  
to the north curbline of Oxford  
by replacing sidewalks and drive  
approaches (BASE Bid - to be paid  
by Community Development and Plan-  
ning Dept.). (4) Drexel Avenue  
from the east property line of  
Alexander to the west property  
line of Abbott Street (Alternate  
I to be paid by Board of Public  
Works Self Help Program);

26  
27 the Contract price is Ninety-Seven Thousand Four Hundred Eighty-  
28 Nine and No/100 Dollars (\$97,489.00), all as more particularly  
29 set forth in said Contract, which is on file in the Office of  
30 the Board of Public Works and Safety and, is by reference incor-  
31 porated herein, made a part hereof, and is hereby in all things  
32 ratified, confirmed and approved. Two (2) copies of said Contract



Read the first time in full and on motion by J. Palmer  
seconded by Redd, and duly adopted, read the second time  
by title and referred to the Committee Public Works (and the Ci  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.

DATE: 6-23-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by J. Palmer  
seconded by Greer, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 7-14-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. S-175-87  
on the 14th day of July, 1987.

ATTEST:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Mark E. GiaQuinta  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 15th day of July, 1987,  
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 16th day of July,  
1987, at the hour of 9:00 o'clock A.M., E.S.T.

WIN MOSES, JR.  
WIN MOSES, JR., MAYOR

1987 JUN 15 AM 9:16

MEMORANDUM

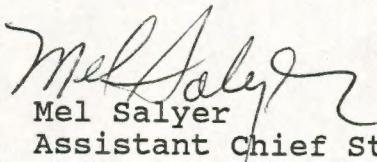
TO: Board of Works & Safety  
FROM: Mel Salyer, Assistant Chief Street Engineer  
SUBJECT: Resolution No. 6072-87 Pontiac Place NSA'87  
W.O.#10,648 Funded: CDBG  
DATE: June 12, 1987

\*\*\*\*\*

Attached please find the Bid Analysis Sheet on the subject project. As you can see, HIPS KIND CONCRETE CORP. submitted the lowest bid in the amount of \$89,504.00 for Base Bid which is 14.81% UNDER the engineer's estimate. For Alternate I HIPS KIND CONCRETE CORP. submitted the lowest bid in the amount of \$7,985.00 which is 13.75% UNDER the engineer's estimate.

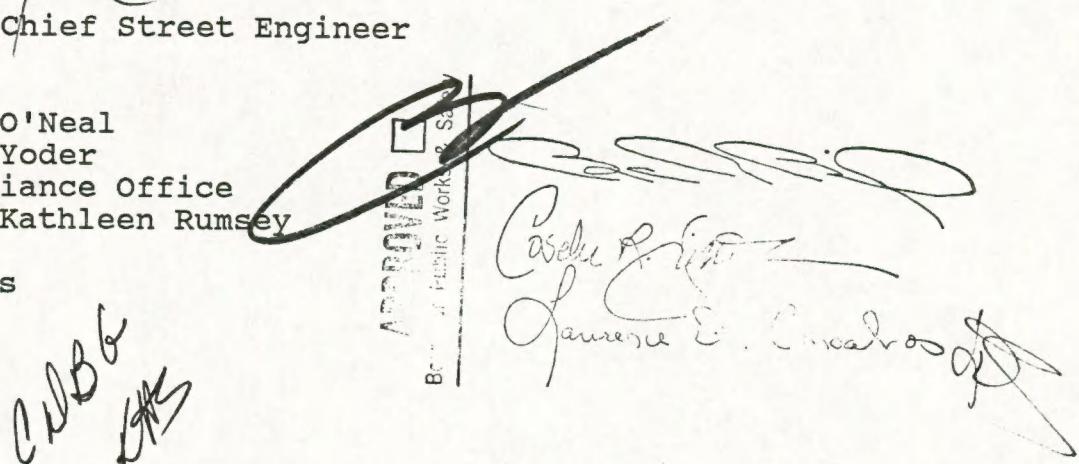
Therefore, Street Engineering Dept. recommends contract should be awarded to HIPS KIND CONCRETE CORP. for both Base and Alternate I bids. We are attaching the successful bid packet by Hipskind.

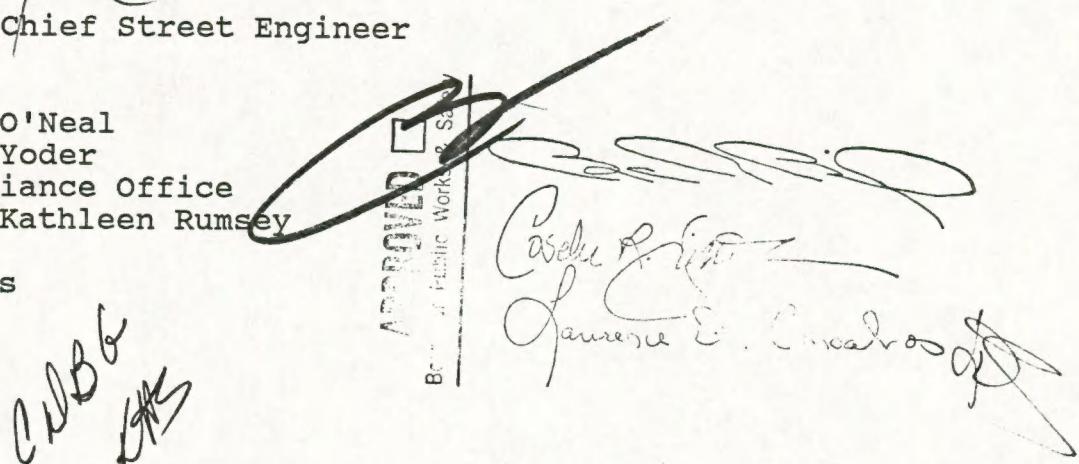
Also attached are the other unsuccessful bid packets for your files. Please return a copy of the successful bid back to Street Engineering Dept. after awarding the contract for our files.

  
Mel Salyer  
Assistant Chief Street Engineer

cc: Carl O'Neal  
Jess Yoder  
Compliance Office  
CD&P-Kathleen Rumsey

Attachments

zk/  
  






NOTICE OF AWARD

TO: Hipskind Concrete  
5505 Mason Drive  
Fort Wayne, IN 46809

PROJECT DESCRIPTION Res. 6072-87 PONTIAC PLACE NSA 1987

The OWNER has considered the BID submitted by you for the above-described WORK, in response to its advertisement for bids dated \_\_\_\_\_

You are hereby notified that your BID has been accepted for items in the amount of \$ 89,504.00 (Base) and \$ 7,985.00 (Alternate)

You are required to furnish Contractor's Performance and Guaranty Bond, Payment Bond and Certificate of Insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said bonds within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

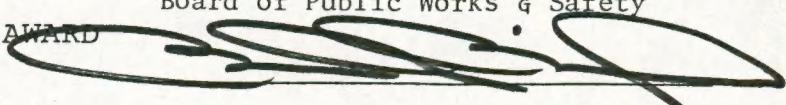
Dated this 17th day of June, 1987.

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD  
is hereby acknowledged by

Title \_\_\_\_\_

City of Fort Wayne  
Board of Public Works & Safety

  
J.D. Conradus  
City of Fort Wayne  
Mayor

Compliance: \_\_\_\_\_

Award Date: 6-17-87

## B I D

CONTRACTOR: HIPS KIND CONCRETE CORP.

PROJECT: PONTIAC PLACE NSA "87" BASE

RES. NO: 6072-87

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT COST (\$)	AMOUNT (\$)
1	CURB REMOVAL	1400	L.F.	2.00	2,800.00
2	NEW CURB TYPE III	1220	L.F.	8.45	10,309.00
3	CONCRETE REMOVAL	3100	S.Y.	3.00	9,300.00
4	NEW 4" SIDEWALK	22000	S.F.	2.00	44,000.00
5	CORNER WINGWALK (INCL. RAMPS)	1400	S.F.	2.25	3,150.00
6	NEW 6" DRIVES	300	S.Y.	20.00	6,000.00
7	NEW 8" ALLEY APPROACHES	200	S.Y.	22.00	4,400.00
8	GRANULAR FILL UNDER WALK	220	TON	6.00	1,320.00
9	C.B. ADJUSTED TO GRADE	6	EA.	100.00	600.00
10	ASPHALT PATCHING	1400	L.F.	.50	700.00
11	BACKFILL BEHIND CURBS	70	TON	5.00	350.00
12	TOPSOIL	200	TON	6.00	1,200.00
13	FINE GRADE, SEED, & FERTILIZER	3000	S.Y.	1.00	3,000.00
14	TREE REMOVAL (20")	2	EA.	400.00	800.00
15	TREE REMOVAL (54")	1	EA.	625.00	625.00
16	TREE REMOVAL (30")	1	EA.	450.00	450.00
17	TREE REMOVAL (40")	1	EA.	500.00	500.00

TOTAL:

\$89,504.00

SHEET 1 OF 2

Note: Contractor will be paid on measured quantities only at unit price bid

B I D

CONTRACTOR: HIPSKIND CONCRETE CORP.

PROJECT: PONTIAC PLACE NSA "87" ALT #1

RES. NO: 6072-87

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT COST (\$)	AMOUNT (\$)
1	CONCRETE REMOVAL	350	SY	3.00	1,050.00
2	CONCRETE SIDEWALK 4"	2780	SF	2.00	5,560.00
3	CONCRETE DRIVES 6"	32	SY	20.00	640.00
4	GRANULAR FILL UNDER WALKS	35	TON	6.00	210.00
5	TOPSOIL	25	TON	6.00	150.00
6	FINE GRADE, SEED AND FERT.	375	SY	1.00	375.00

TOTAL:

\$7,985.00

SHEET 2 OF 2

Note: Contractor will be paid on measured quantities only at unit price bid

In submitting this bid, it is understood, that the right is reserved by the Owner to reject any and all bids, and to waive any defect in any bid.

IN WITNESS WHEREOF, the bidder (a firm) by its owner(s) named below, hereunto set hand(s) and seal this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.  
\_\_\_\_\_  
\_\_\_\_\_

FIRM NAME \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BY: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TELEPHONE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IN TESTIMONY WHEREOF, the bidder (a corporation) has caused this proposal to be signed by its President and Secretary, and, affixed its corporate seal this 9th day of June, 1987.

Hippskind Concrete Corp.

NAME OF CORPORATION \_\_\_\_\_

BY: James D. Hippskind  
PRESIDENT

ADDRESS: 5502 Mason Dr.  
Fort Wayne, IN 46809

TELEPHONE: (219) 747-1340

ATTEST:

Jeanita J. Brown

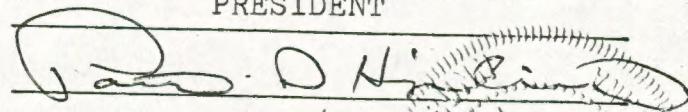
NON-COLLUSION AFFIDAVIT

The Bidder, by its Officers and

agents or representatives present at the time of filing this bid, being duly sworn on their oaths, say that neither they nor any of them have in any way, directly or indirectly, entered into any arrangement or agreement with any other bidder, or with any public officer of such City of Fort Wayne, Indiana, whereby such affiant or affiants or either of them, has paid or is to pay to such other bidder or public officer any sum of money, or, has given or is to give such bidder or public officer anything of value whatever, or such affiant or affiants or either of them has not directly or indirectly, entered into any arrangement or agreement with any other bidder or bidders, which tends to or does lessen or destroy free competition in the letting of the Contract sought for by the attached bids, that no inducement of any form or character other than that which appears upon the face of the bid will be suggested, offered, paid or delivered to any person, whomsoever to influence the acceptance of the said bid or awarding of the Contract, nor has this bidder any agreement or understanding of any kind whatsoever, with any person whomsoever to pay, deliver to, or share with any other person in any way or manner, any of the proceeds of the Contract sought by this bid.

Hipskind Concrete Corp.

PRESIDENT



Subscribed and sworn to before me by PATRICK D. HIPSKIND

this 9th day of JUNE, 1987.

My Commission Expires:

JULY 13, 1990

NOTARY PUBLIC  
Resident of ALLEN County, IN

Subscribed and sworn to before me by \_\_\_\_\_

this \_\_\_\_\_ of \_\_\_\_\_, 19\_\_\_\_.

My Commission Expires:

\_\_\_\_\_

NOTARY PUBLIC  
Resident of \_\_\_\_\_ County, IN

Subscribed and sworn to before me by \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

My Commission Expires:

\_\_\_\_\_

NOTARY PUBLIC  
Resident of \_\_\_\_\_ County, IN

CERTIFICATE IN LIEU OF FINANCIAL STATEMENT

I, Hipskind, Patrick D., the \_\_\_\_\_  
Name \_\_\_\_\_  
President \_\_\_\_\_, the Hipskind Concrete Corp.  
Position \_\_\_\_\_ Company

HEREBY CERTIFY:

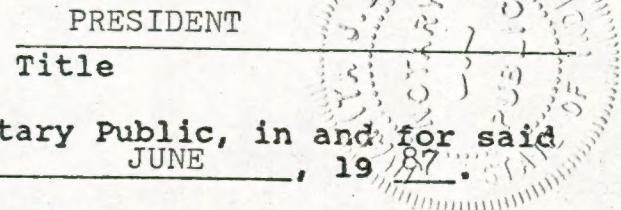
1. That the Financial Statement of said Company, dated the 22 day of MAY, 1986, now on file in the office of the Board of Public Works & Safety of the City of Fort Wayne, Indiana, which Financial Statement is by reference incorporated herein and made a part hereof, is a true and correct statement, and, accurately reflects the financial condition of said Company, as of the date hereof; and,
2. That I am familiar with the books of said Company, showing its financial condition and am authorized to make this Certificate on its behalf.

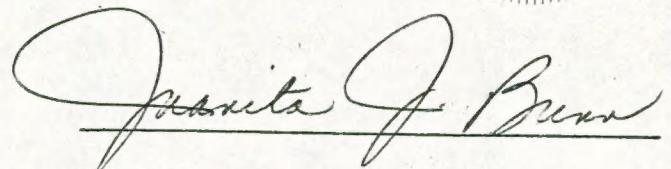
DATED JUNE 9, 1987

  
Signature

PRESIDENT  
Title

SUBSCRIBED AND SWORN to before me, a Notary Public, in and for said County and State, this 9<sup>th</sup> day of JUNE, 1987.



  
Janita J. Brown  
NOTARY PUBLIC  
Resident of ALLEN County, IN

My Commission Expires:

JULY 13, 1990

MBE/WBE COMMITMENT FORM

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO THE MBE/WBE GOALS OF THE CITY FOR WORK DONE PURSUANT TO THIS CONTRACT:

A. \_\_\_\_\_ The undersigned firm certifies that it is an MBE/WBE Contractor (cross out inapplicable provision).

For MBE specify percentage of minority ownership \_\_\_\_%.

For WBE specify percentage of women ownership \_\_\_\_%.

B. \_\_\_\_\_ The undersigned certifies that they are a joint venture in which the following (MBE/WBE) firm (cross out inapplicable provision) is a joint venture partner.

The MBE/WBE firm (cross out inapplicable provision), shall have \_\_\_\_% participation (employees) \_\_\_\_% participation (costs) in this project.

Specify the percentage of minority/women ownership in the MBE/WBE firm \_\_\_\_%. (Cross out inapplicable provision.)

C. The undersigned commits \_\_\_\_% of the total bid price as a subcontract to minority business enterprise participation. The MBE firms, which are proposed as subcontractors, are the following:

NAME OF FIRM	ADDRESS	TYPE OF WORK
1. Kevin Jones & Sons	Oliver St.	All Concrete
2.		
3.		

D. The undersigned commits \_\_\_\_% of the total bid price as a subcontract to women business enterprise participation. The WBE firms, which are proposed as subcontractors are the following:

NAME OF FIRM	ADDRESS	TYPE OF WORK
1. Statewide Trucking	Ardmore Ave.	Trucking
2. Mergy Construction		Varies
3.		

E. Complete (1) and (2) below if participation goals of 7% MBE and 2% WBE have not been met.

1. My Company cannot meet the participation goals for the following reasons: \_\_\_\_\_

---

---

---

2. We have taken the following steps in an attempt to comply with these participation goals: \_\_\_\_\_

---

---

---

(Attach additional sheets as necessary.)

Contractor Hipskind Concrete Corp. Contractor \_\_\_\_\_  
By C. Hipskind By \_\_\_\_\_

Its \_\_\_\_\_ PRESIDENT

Its \_\_\_\_\_

## "MINORITY/FEMALE HOURLY UTILIZATION"

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO MINORITY/FEMALE HOURLY UTILIZATION.

A. The undersigned firm certifies that it will employ and utilize minorities and females and/or will ensure that its subcontractors employ and utilize minorities and females, so that minorities and females will work at least 17% of the total hours worked on this project.

B. Complete (1) and (2) below if the hourly utilization figure set forth in "A" is less than 17%.

1. My Company and its subcontractors cannot meet the 17% minimum hourly utilization figure for the following reasons:

---

---

---

2. My Company has taken the following steps in an attempt to comply with the 17% hourly utilization figure:

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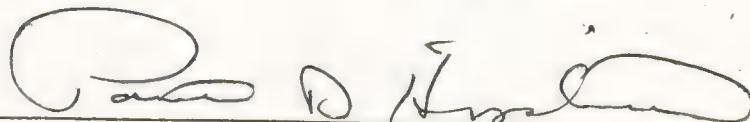
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(Attach additional sheets, if necessary.)

CONTRACTOR: Hipskind Concrete Corp.

By: \_\_\_\_\_



Its: \_\_\_\_\_

PRESIDENT

It is the policy of Hipskind Concrete Corp. that  
(Company)

equal employment opportunity be afforded to all qualified persons without regard to race, religion, color, sex, or national origin.

In support of this policy Hipskind Concrete Corp. will not  
(Company)

discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin.

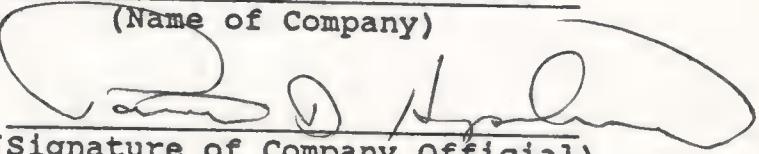
The Hipskind Concrete Corp. will take affirmative action  
(Company)

to insure that applicants are employed and that employees are treated during employment without regard to their race, religion, color, sex, or national origin. Such action will include but not be limited to:

RECRUITMENT, ADVERTISING OR SOLICITATION FOR EMPLOYMENT, HIRING, PLACEMENT, UPGRADING, TRANSFER OR DEMOTION, SELECTION FOR TRAINING INCLUDING APPRENTICESHIP, RATES OF PAY OR OTHER FORMS OF COMPENSATION, LAYOFFS OR TERMINATION.

Hipskind Concrete Corp.

(Name of Company)

  
(Signature of Company Official)

June 9, 1987

(Date)

STREET BARRICADE MAINTENANCE INFORMATION

Listed below are the names and telephone numbers of the persons responsible for the maintenance of the barricades necessary for the duration of this contract.

<u>NAME</u>	<u>TELEPHONE NUMBER</u>
Three Rivers Barricade	(219) 436-1611

Hipskind Concrete Corp.  
Contractor

Resolution No. #6072-87

# Fidelity and Deposit Company

HOME OFFICE

OF MARYLAND

BALTIMORE, MD. 21203

## BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, HIPSKIND CONCRETE CORP., 5502 Mason Dr., Ft. Wayne, IN

....., as Principal, (hereinafter called the "Principal"), and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, of Baltimore, Maryland, a corporation duly organized under the laws of the State of Maryland, as Surety, (hereinafter called the "Surety"), are held and firmly bound unto City of Fort Wayne, Fort Wayne, IN

.....as Obligee, (hereinafter called the "Obligee"), in the sum of 5% of Contractor's Maximum Bid Dollars (\$.....), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Resolution #6072-87.

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 8th day of June A.D. 19 87.

HIPSKIND CONCRETE CORP.

BY: [Signature]

(SEAL)  
Principal

Witness

PRESIDENT

Title

FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
Surety

Kathy L. Miller  
Witness

By Thomas J. Ward  
Attorney-In-Fact (SEAL)  
Title

Power of Attorney  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE, BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR., Vice-President, and C. W. ROBBINS Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages, ... and to affix the seal of the Company thereto."

does hereby nominate constitute and appoint Terrence J. Ward and Kathy L. Bixler, both of Fort Wayne, Indiana, EACH.....

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, each in a penalty not to exceed the sum of TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000).....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Terrence J. Ward and Kathy L. Bixler, dated, January 17, 1986.

The said Assistant Secretary does hereby certify that the foregoing is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this ..... 4th ..... day of February , A.D. 1987.



ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

*C.W. Robbins*

Assistant Secretary

By

Vice-President

*C.M. Pecot*

STATE OF MARYLAND  
CITY OF BALTIMORE

} ss:

On this 4th day of February , A.D. 1987 , before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed by Official Seal, at the City of Baltimore, the day and year first above written.



*Carol J. Pecot*  
Notary Public Commission Expires July 1, 1990

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this ..... 8th ..... day of ..... June ..... , 1987.

*Christopher T. Naddo*  
Assistant Secretary

L1428-Cf. -044-2998

ITEM		ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT						
NO.			(#)	(#)	(\\$)	(\\$)	(\\$)	(\\$)	(\\$)	(\\$)	(\\$)	(\\$)	(\\$)	(\\$)	(\\$)	(\\$)
1	CURB REMOVAL		1400	L.F.	3.25	4550.00	2.00	2800.00	2.30	3220.00	2.00	2800.00	3.00	4200.00	5.00	7000.00
2	NEW CURB TYPE III		1220	L.F.	10.00	12200.00	8.45	10399.00	9.00	10980.00	9.00	10980.00	9.00	10980.00	8.00	9760.00
3	CONCRETE REMOVAL		3100	S.Y.	3.50	10650.00	3.00	9300.00	3.30	10230.00	3.70	11470.00	3.00	9300.00	5.00	15500.00
4	NEW 4" SIDEWALK		22000	S.F.	2.25	49500.00	2.00	44000.00	1.90	41800.00	1.85	40700.00	2.20	48400.00	2.00	44000.00
5	CORNER WINGWALK (INCL. RAMPS)		1400	S.F.	2.50	3500.00	2.25	3150.00	2.60	3600.00	2.25	3150.00	2.40	3360.00	2.75	3850.00
6	NEW 6" DRIVES		300	S.V.	20.00	6000.00	20.00	6000.00	22.00	6600.00	19.50	5850.00	22.90	6870.00	23.80	7140.00
7	NEW 8" ALLEY APPROACHES		200	S.Y.	25.00	5000.00	22.00	4400.00	25.00	5000.00	23.00	4600.00	25.80	5160.00	26.25	5250.00
8	SGANULAR FILL UNDER WALK		220	TON	3.00	1100.00	6.00	1320.00	7.00	1540.00	5.00	1100.00	9.50	2090.00	14.00	3080.00
9	C. 8' ADJUSTED TO GRADE		6	EA.	150.00	900.00	100.00	600.00	5.00	30.00	175.00	1050.00	1.00	6.00	187.50	1125.00
10	ASPHALT PATCHING		1400	L.F.	1.00	1400.00	0.50	700.00	0.01	14.00	0.80	1120.00	0.01	14.00	1.20	1880.00
11	BACKFILL BEHIND CURBS		70	TON	8.00	560.00	5.00	350.00	0.01	0.70	5.00	350.00	0.01	0.70	8.00	560.00
12	TOPSOIL		200	TON	8.50	1700.00	6.00	1200.00	0.01	2.00	12.00	2400.00	0.01	2.00	18.00	3600.00
13	FINISH GRADE, SEED, & FERTILIZER		3000	S.Y.	2.00	6000.00	1.00	3000.00	2.00	6000.00	1.25	3750.00	1.10	3300.00	0.70	2100.00
14	TREE REMOVAL (20')		2	EA.	275.00	550.00	400.00	800.00	200.00	400.00	200.00	400.00	205.00	410.00	150.00	300.00
15	TREE REMOVAL (54')		1	EA.	500.00	500.00	625.00	625.00	600.00	600.00	500.00	360.00	360.00	500.00	500.00	500.00
16	TREE REMOVAL (30')		1	EA.	350.00	350.00	450.00	450.00	350.00	350.00	400.00	400.00	240.00	240.00	300.00	300.00
17	TREE REMOVAL (40')		1	EA.	400.00	400.00	500.00	500.00	500.00	500.00	450.00	450.00	280.00	280.00	300.00	300.00
<b>TOTAL:</b>		<b>TOTAL:</b>	<b>\$105,060.00</b>	<b>TOTAL:</b>	<b>\$89,504.00</b>	<b>TOTAL:</b>	<b>\$90,906.70</b>	<b>TOTAL:</b>	<b>\$91,070.00</b>	<b>TOTAL:</b>	<b>\$94,972.70</b>	<b>TOTAL:</b>	<b>\$106,045.00</b>	<b>TOTAL:</b>	<b>\$106,045.00</b>	
% over			0.0011% over		0.0011% over		0.0011% over		0.0011% over		0.0011% over		0.0011% over		0.0011% over	
% under			14.8711% under		13.4711% under		13.3211% under		13.3211% under		9.6031% under		9.6031% under		0.0011% under	

BID TAB DATE: 6-11-87  
; BIDDER:

DATE: 6-11-87

PROJECT: PONTIAC PLACE 87 ALTERNATE #1

RES. NO: 6072-87

BAINES

ILEY CONST. CO., SPEARS-DEHNER INC.  
BROOK

BID TAB	DATE: 6-11-87	BIDDER:	BIDDER:	BIDDER:	BIDDER:	BIDDER:	BIDDER:				
PROJ: PONTIAC PLACE "B7" NSA		RES. NO: 6072-87	HIPSKIND CONCRETE	GAINES CONST. CO.	IRETH-AILEY CONST. CO. / SPEARS-DEHNER, INC.	IRETH-AILEY CONST. CO. / SPEARS-DEHNER, INC.	IRETH-AILEY CONST. CO. / SPEARS-DEHNER, INC.				
TOTAL EST. BASE \$105,160.00	TOTAL BASE \$87,304.00	TOTAL BASE \$90,906.70	TOTAL BASE \$91,070.00	TOTAL BASE \$94,972.70	TOTAL BASE \$106,045.00	TOTAL ALT. \$9,257.50	TOTAL ALT. \$7,985.00	TOTAL ALT. \$8,512.25	TOTAL ALT. \$8,422.75	TOTAL ALT. \$8,644.05	TOTAL ALT. \$9,274.10
TOTAL EST.: \$114,317.50	TOTAL: \$97,189.00	TOTAL: \$99,418.95	TOTAL: \$99,492.75	TOTAL: \$103,616.75	TOTAL: \$115,319.10	% over 0.0071% over	% over 0.0071% over	% over 0.0071% over	% over 0.0071% over	% over 0.0071% over	% over 0.0071%
14.72% under	13.03% under	12.97% under	9.36% under	0.00% under	0.00% under	14.72% under	13.03% under	12.97% under	9.36% under	0.00% under	0.00% under

IMPROVEMENT RESOLUTION  
NO. 6072-87

RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

- 1) Abbott Street from the south curbline of Manford to the north curbline of Oxford by replacing sidewalks and drive approaches
- 2) Plaza Drive from the south curbline of Drexel to the north curbline of Oxford by replacing sidewalks and drive approaches and total curbs
- 3) Central Drive from the south curbline of Drexel to the north curbline of Oxford by replacing sidewalks and drive approaches (BASE BID - To be paid by Community Development & Planning Dept.)
- 4) Drexel Avenue from the east property line of Alexander to the west property line of Abbott Street. (ALTERNATE I - To be paid by Board of Public Works Self Help Program)

This area also known as PONTIAC PLACE NSA'87

All in accordance with the specifications on file in the office of the Department of Public Works and Safety of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works and Safety that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community Development and Planning Department for the Base Bid and by Board of Public Works and Safety from their Self Help Program for Alternate I.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 20<sup>th</sup> day of May, 1987.

BOARD OF PUBLIC WORKS & SAFETY

Cassie R. Smith  
C. D. Corralos

ATTEST: Heley D. Gochhausen  
Secretary and Clerk

TITLE OF ORDINANCE Contract for Res. 6072-87 - Pontiac Place NSA '87

DEPARTMENT REQUESTING ORDINANCE Board of Public Works & Safety

SYNOPSIS OF ORDINANCE The Contract for Res. 6072-87 - Pontiac Place, NSA '87, is for the improvement of the following: 1) Abbott Street from the south curbline of Manford to the north curbline of Oxford by replacing sidewalks and drive approaches. 2) Plaza Drive from the south curbline of Drexel to the north curbline of Oxford by replacing sidewalks and drive approaches and total curbs 3) Central Drive from the south curbline of Drexel to the north curbline of Drexel to the north curbline of Oxford by replacing sidewalks and drive approaches (BASE Bid - to be paid by Community Development & Planning Dept.) 4) Drexel Avenue from the east property line of Alexander to the west property line of Abbott Street (Alternate I to be paid by Bd. of Public Works Self Help Program. Hipskind Concrete is the Contractor.

1-87-06-39

EFFECT OF PASSAGE Improved walks, curbs & drive approaches at above locations

EFFECT OF NON-PASSAGE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) \$97,489.00

ASSIGNED TO COMMITTEE

BILL NO. S-87-06-39

REPORT OF THE COMMITTEE ON PUBLIC WORKS

WE, YOUR COMMITTEE ON PUBLIC WORKS TO WHOM WAS  
REFERRED AN (ORDINANCE) (RESOLUTION) approving the Contract  
for Res. 6072-87, Pontiac Place, NSA '87, Curbs, Walks and  
Drive Appraches, between the Hipskind Concrete Corporation and  
the City of Fort Wayne, Indiana, in connection with the Board of  
Public Works and Safety

HAVE HAD SAID (ORDINANCE), (RESOLUTION) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(RESOLUTION)

YES

NO

*Samuel J. Talarico* SAMUEL J. TALARICO  
CHAIRMAN

*Janet G. Bradbury* JANET G. BRADBURY  
VICE CHAIRPERSON

*Paul M. Burns* PAUL M. BURNS

*James S. Stier* JAMES S. STIER

*Charles B. Redd* CHARLES B. REDD

CONCURRED IN 7-14-87.

SANDRA E. KENNEDY  
CITY CLERK